REMARKS

Applicants respectfully request that the above-identified application be reexamined.

Claims 1-23 are pending in this application. The Office Action mailed October 3, 2007 (hereinafter "Office Action"), rejected Claims 1-23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,036,046, issued to Ali (hereinafter "Ali").

Pursuant to 37 C.F.R. § 1.111 and for the reasons set forth below, applicants respectfully request reconsideration and allowance of the pending claims. Prior to discussing in detail why applicants believe that all the claims in this application are allowable, a brief description of the disclosed subject matter and brief descriptions of the teachings of the cited and applied references are provided. The following descriptions of the disclosed subject matter and the cited and applied references are not provided to define the scope or interpretation of any of the claims of this application. Instead, these descriptions are provided solely to assist the United States Patent and Trademark Office in recognizing the differences between the pending claims and the cited references, and should not be construed as limiting on the disclosed subject matter.

Disclosed Subject Matter

A network portal for aggregating, prioritizing, and presenting application issue data received from independent software vendors is disclosed. The application issue data regards defects, test results, etc. Software modules included in a portal server prioritize the data based on criteria provided by the ISVs. In one form, a portal server provides a Web page that enables each ISV to view the application issue data, select the application issue data relevant to each ISV, and have the selected data presented in various customized views.

The application issue aggregation and prioritization module obtains application issue data through a network interface to a plurality of ISVs. The module then aggregates the issues that pertain to a particular application and prioritizes the aggregated issues according to criteria. The ISVs access the module through a second interface to obtain the aggregated and prioritized data.

Many advantages of the network portal are provided by the user interface and the functions immediately behind the interface.

Summary of Ali (U.S. Patent No. 7,036,046)

Ali is purportedly directed towards a system and method of tracking an error condition detectable in a communication network. The method includes generating first derived communication attributes from collected statistics from the communication network in a first time interval and retaining the first derived communication attributes. The method further includes generating second derived communication attributes from collected statistics from the communication network in a second time interval, comparing values for the first and the second derived communication attributes to generate a comparison result and utilizing the comparison result as a factor in determining a status of the error condition. While Ali describes using communication attributes for tracking an error condition detectable in a communication network, Ali fails to teach a network portal for aggregating, prioritizing, and presenting application issue data received from independent software vendors via a customizable user interface.

Rejection of Claims 1-23 Under 35 U.S.C. § 102(e)

As indicated above, Claims 1-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ali.

Claims 1-17

Remarks accompanying the Office Action rejection of Claim 1 state:

> As per claim 1 (Currently Amended), Ali discloses a portal server for a network of computing devices for aggregating application issue data for access from a plurality of independent software vendors (ISVs), the portal being accessible by one or more application developers of the ISVs via a network computing device, the portal server comprising:
> a data interface [[to]] for accessing a plurality of application issue data sources for obtaining application issue data regarding one or more applications associated with each of the one or application developers ISVs (col. 4: 10-20 ". . . end users connected via router . . . allowing data to be transmitted . . .");

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a network interface accessible by each of the one or more application developers and e.g. FIG. 1, elements 142-148 and related text); and

an aggregation module for aggregating the application data by application (col. 4: 1-10 ". . . aggregation unit 102 of FIG. 1 generates aggregated statistics file . . ." and col. 6: 30-40 ". . . statistics collection unites 314-318 of FIG. 3, aggregation unit 320 of FIG. 3 . . .") and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications associated with that application developer (col. 3: 55-65 ". . . summarize the errors detected and writes a summary record . . ." and e.g. FIG. 7 and related text) and omitting application data for applications not associated with that application developer (col. 4: 20-40 ". . . gathering the appropriate statistics within its associated node segment . . ." and e.g. FIG. 8 and related text).

Claim 1 reads as follows:

1.   A portal server for a network of computing devices for aggregating ˛application issue data from a plurality of independent software vendors (ISVs), the portal server being accessible by one or more application developers of the ISVs via a network computing device, the portal server comprising:

a data interface for accessing a plurality of application issue data sources for obtaining application issue data regarding one or more applications associated with each of the ISVs;

a network interface accessible by each of the one or more application developers; and

an aggregation module for aggregating the application data by application and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications associated with that ISV and omitting application data for applications not associated with that ISV.

Applicants respectfully disagree with the Office Action that Claim 1 is anticipated by Ali. First, applicants submit that, contrary to the Office Action assertion, Ali is not directed to the preamble recitation of Claim 1, namely "[a] portal server for a network of computing devices for aggregating application issue data from a plurality of independent software vendors (ISVs), the portal server being accessible by one or more application developers of the ISVs via a network computing device."   Applicants note that 37 C.F.R. § 1.104(c)(2), under the "Rejection of

Claims" heading, states that "When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." Here, the Office Action has failed to properly designate a part of the Ali reference that discloses the preamble of Claim 1, which gives life and meaning to Claim 1, and thus cannot be ignored.

Similarly, the Office Action has failed to correctly disclose where Ali discloses, teaches, or suggests the "aggregation module for aggregating the application data by application an aggregation module for aggregating the application data by application and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications associated with that ISV and omitting application data for applications not associated with that ISV" clause of Claim 1. Col. 4, lines 1-10, cited by the Office Action in reference to this clause do not contain any description of an aggregation module. Element 102, referenced by the Office Action as an "aggregation unit" is described as a "network cloud" in Col. 4, line 1, of Ali. An aggregation unit 320 in FIGURE 3 of Ali, also referenced by the Office Action, is described only as "statistics aggregation unit." (Col. 6, line 24.) This generic description does not recite any specific purposes or features associated with the aggregation unit. Ali's statistic aggregation unit does not aggregate specific "application data," much less present the aggregated application data to a user through a customizable user interface.

Further, applicants submit that Ali fails to disclose, teach, or suggest the "data interface for accessing a plurality of application issue data sources for obtaining application issue data regarding one or more applications associated with each of the ISVs" clause of Claim 1. Col. 4, lines 10-20, of Ali, cited by the Office Action, refer to end users connected via router, allowing data to be transmitted. In contrast, this clause of Claim 1 recites a data interface of the portal server that interfaces with application issue data sources, not end users.

Applicants further submit that Ali fails to disclose, teach, or suggest the "customizable user interface that presents aggregated data regarding only the one or more applications associated with that ISV" clause of Claim 1. Col. 3, lines 55-65, referenced by the Office Action as disclosing this clause, do not describe or even suggest a user interface. Furthermore, the quote "summarize the errors detected and writes a summary record" referenced by the Office Action could not be found in Col. 3, lines 55-65. Even assuming the quote is nevertheless accurate, it still would not teach or suggest the "customizable user interface" clause of Claim 1.

For the reasons described above, applicants submit that Claim 1 is not anticipated by Ali, and is thus allowable. Claims 2-17, which depend directly or indirectly from Claim 1, are also submitted to be allowable for at least the reasons why Claim 1 is submitted to be allowable.

Furthermore, applicants respectfully submit that at least with regard to Claims 4, 5, 7, 8, and 10-16, the Office Action has not made any attempt to clearly explain in accordance with 37 C.F.R. § 1.104(c)(2) how Ali discloses, teaches, or suggests any of the features recited in these claims. For example, the Office Action references "FIGURE 7 and related text" of Ali in regard to Claims 6, 7, and 13, reciting the web portal user interface and its features. However, FIGURE 7 illustrates an exemplary error log file, which has nothing to do with a user interface. Similarly, FIGURES 6 and 8 and related text, referenced by the Office Action with respect to Claims 6-12 and 14-16, which recite a web portal user interface, illustrate only an exemplary configuration file and an error report.

Claims 18-21

Claim 18, as amended, reads as follows:

> A method of presenting application issue data regarding one or more software applications to a developer of the one or more software applications comprising: gathering application issue data from a plurality of data sources;
> aggregating application issue data such that application issues pertaining to the same application are grouped together; and
> presenting the aggregated application issue data visually to the developer of the one or more software applications **by providing a user with selectable control for altering the order in which the application issues are presented.** (Emphasis added.)

Applicants respectfully submit that Claim 18, as amended, is not anticipated by Ali. Specifically, applicants disagree that Ali anticipates the "presenting the aggregated application issue data visually to the developer of the one or more software applications by providing a user with selectable control for altering the order in which the application issues are presented." The portion of this clause highlighted above was previously recited in Claim 20, which has been canceled, and added to Claim 18. Thus, in essence, Claim 18 is now Claim 20 rewritten in independent form. The Office Action references "FIG. 8 and related text" in regard to the subject matter recited in the above quoted clause. However, FIGURE 8 of Ali illustrates an example of errors identified by statistics collection system. The text related to FIGURE 8 describes the error sample and the types of errors presented in the Table 800 (FIGURE 8). Neither FIGURE 8, nor the text related to it describes or even remotely suggests the possibility of a control selectable by the user. The Office Action did not clearly explain in accordance with 37 C.F.R. § 1.104(c)(2) as to how the text related to FIGURE 8, comprising Columns 9-11 of Ali, might be relied upon to anticipate this feature.

As a result, applicants submit that Claim 18, as amended is not anticipated by Ali and is thus allowable. Claim 19 depends from Claim 18 and is also submitted to be allowable for at least the same reasons as Claim 18. As noted above, Claim 20 has been canceled.

Claim 21 has been rewritten in independent form and includes the recitation: "presenting a subset of the data in a visual page and presenting a user-selectable page control for accessing one or more pages of remaining data." The Office Action references "FIG. 7 and related text" in regard to the subject matter recited in this clause. However, FIGURE 7 of Ali illustrates an exemplary error log file, whereas the text related to FIGURE 7 summarizes the types of errors recorded in the error log file. Neither FIGURE 7, nor the text related to it describes or even remotely suggests the possibility of a user-selectable page control. The Office Action did not clearly explain in accordance with 37 C.F.R. § 1.104(c)(2) as to how the text related to FIGURE 7, comprising Cols. 9-10 of Ali, might be relied upon to anticipate this feature. As a

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result, applicants submit that Claim 21 and new Claim 25, which depends therefrom, are clearly allowable in view of Ali.

Claims 22 and 23

Claims 22 and 23 were rejected in the Office Action because they are directed to computer readable media and apparatus versions of the method of Claim 18. Applicants submit that Claim 22, which depends from Claim 18, is allowable for at least the same reasons that Claim 18, as amended, is allowable.

Applicants have amended independent Claim 23 by adding the subject matter of former Claim 20, similar to the way Claim 18 has been amended by adding the subject matter of former Claim 20. Applicants submit that Claim 23, as amended, is allowable for the same reasons that Claim 18, as amended, is allowable and refer to the rationale provided in the above discussion of Claim 18.

New Claim 24

New independent Claim 24 contains subject matter similar to the subject matter recited in previously presented Claims 21 and 23 albeit in apparatus form. Claim 24 is submitted to be allowable for at least the same reasons as Claims 21 and 23.

CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully submit that all of the claims pending in this application are allowable. Early and favorable action allowing these claims and passing this application to issue is respectfully solicited. If any questions remain, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

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